

REMARKS

The Applicant has now had an opportunity to carefully consider the comments set forth in the Office Action that was mailed June 11, 2008. All of the rejections are respectfully traversed. Amendment to restore previously canceled claims and correct antecedence, re-examination and reconsideration are respectfully requested.

The Office Action

In the Office Action that was mailed June 11, 2008:

claims 1-4 and 8-12 were rejected under 35 USC §103(a) as being unpatentable in view of U.S. Patent Application Publication No. 2004/0022237 A1 by Elliott et al. ("Elliott") in view of U.S. Patent No. 6,108,705 A1 to Svennevik et al. ("Svennevik");

claims 5-7 and 13-15 were rejected under 35 USC §103(a) as being unpatentable in view of Elliott, Svennevik and U.S. Patent No. 6,985,492 to Thi et al. ("Thi").

Correction of the Record Is Requested

The present Office Action presents new grounds of rejection which were not necessitated by amendments made by the Applicant or by the submission of an information disclosure statement. Accordingly, the present Office Action cannot be made final. In this regard, it is noted that the Office Action summary identifies the present Office Action as "nonfinal". Furthermore, it is noted that the Patent Application Information Retrieval system of the U.S. Patent and Trademark Office identifies the present Office Action as "nonfinal". **Nevertheless**, page 19 of the Detailed Office Action contradicts all of these indications by indicating in bold type that the Action is made "Final".

Appropriate correction of the record is respectfully requested.

The Present Office Action

By way of brief review, the present application is directed toward methods and systems for applying identifiers to originating and terminating half-calls. For example,

an audio watermark (title) is added to each half-call so that, for example, an internet protocol gateway can recognize half-calls as being related and, for example, interconnect or provide information for interconnecting the two half-calls in order to complete or terminate a call.

As recited, for example, in **claim 1**, the half-calls each have opposing first and second ends. The originating half-call is terminated at the first end thereof by calling consumer premises equipment. The terminating half-call is terminated at the first end thereof by called consumer premises equipment.

In stark contrast, the cited documents do not disclose or suggest applying identifiers to half-calls.

In this regard, the Office Action stipulates that the primary reference of the Office Action to Elliott does not disclose applying identifiers to originating half-calls such that the originating half-calls are distinctly identifiable thereby with respect to one another, said identifiers that are after accompanying terminating half-calls that form associated pairs of half-calls together with the originating half-calls to which the identifiers were applied and, (b) examining terminating half-calls to detect the identifiers such that upon detection of the identifiers the terminating half-calls accompanying the detected identifiers and the originating half-calls to which the identifiers were applied are recognized as associated pairs of half-calls.

It is respectfully submitted that Svennevik and Thi do not cure these deficiencies of Elliott.

Nevertheless, the Office Action relies on Svennevik for disclosure of the elements that the Office Action stipulates are not disclosed by Elliott. In this regard, the Office Action cites portions of columns 2, 7, 8 and 9 of Svennevik. Most notably, the Office Action cites column 2, lines 17-20, of Svennevik for --applying identifiers to originating half-calls such that originating half-calls--. However, the cited portion only indicates that according to a second aspect of the invention (of Svennevik), the call set-up server controls call handling separately from connection handling. Allegedly, this enables upgrading of the connection handling hardware and software without affecting the rest of the system. It is respectfully submitted that the cited portion is completely silent with regard to applying identifiers to originating half-calls and clarification of the

assertion of the Office Action is respectfully requested.

With regard to the next 15 words of **claim 1**: --are distinctly identifiable thereby with respect to one another, said identifiers thereafter accompanying terminating half-calls--, the Office Action cites column 7, lines 60-65.

However, the cited portion discusses aspects of Fig. 9, which depicts call set-up server software architecture employing the half-call principle according to the disclosure of Svennevik (column 2, lines 53-55). The cited portion of column 7 indicates that for the purposes of illustration, the originating call side, A, and terminating call side, B, are depicted in Fig. 9 as referring to the IsoEthernet half-call and the WAN half-call, respectively. The IsoEthernet half-call parts include an access part, an interface, a user part, an interface, and a central part. It is respectfully submitted that the cited parts of Svennevik do not disclose or suggest **applying identifiers to originating half-calls** such that the originating half-calls are distinctly identifiable thereby with respect to one another, said identifiers thereafter accompanying terminating half-calls. Clarification of the assertions of the Office Action are respectfully requested.

It may be that the Office is of the opinion that since Svennevik discusses routing half-calls, those half-calls must include identifiers. However, it is respectfully submitted that such is not the case. For example, half-calls can be routed via separate signaling channels. It is respectfully submitted that **claim 1** recites applying an identifier to an originating half-call and indicates that an originating half-call is terminated at the first end thereof by calling consumer premises equipment. Accordingly, it is respectfully submitted that traffic on a signaling channel does not disclose or suggest an identifier applied to an originating half-call.

With regard to --examining terminating half-calls to--, the Office Action cites column 5, lines 17-19. However, the cited portion indicates that: --the access related part terminates the interface protocol and controls the resources or channels in the interface--. It is respectfully submitted that this does not disclose or suggest "examining terminating half-calls to". With regard to --detect the identifiers such that upon detection of the identifiers or--, the Office Action cites column 9, lines 27-32.

However, the cited portion indicates that a call is transferred at step 1060 from the call handling portion to the destination access/user part. At step 1070, the

destination access/user part interprets how the call is to be represented, identifies the user at the transmitting end, determines whether or not the user at the destination end is authorized to receive the call, and determines the service that has been selected. Then, at step 1080, the call is transferred to the destination point. It is respectfully submitted that nothing in the cited portions discloses or suggests examining terminating half-calls to detect the identifiers such that upon detection of the identifiers, the terminating half-calls accompanying the detected identifiers and the originating half-calls to which the identifiers were applied are recognized as associated pairs of half-calls.

For at least the foregoing reasons, the rejections of the claims of the present application are based on clear errors and re-examination and reconsideration are respectfully requested.

Furthermore, **claims 5-7** and **13-15** are related to identifiers that include audio watermarks. The Office Action stipulates that Elliott and Svennevik do not disclose or suggest audio watermarks and relies on Thi for this disclosure. However, while Thi includes one occurrence of the word --watermark--, this occurrence is associated with the phrase --FIFO watermark--. It is respectfully submitted that Thi does not define the phrase --FIFO watermark--, however, it is respectfully submitted that a --FIFO watermark-- is a threshold value associated with a First In, First Out memory or buffer. For example, when a number of elements in a FIFO buffer exceed the number associated with the FIFO watermark, this may trigger some processing activity, such as, for example, the processing of information included in the FIFO buffer (for example, see U.S. Patent No. 6,356,962 B1 to Kasper, including, for example, the Abstract and U.S. Patent No. 6,643,719 B1 to Baker: column 2, line 39-column 3, line 50, column 6, line 65-column 8, line 51).

In any event, Thi does not disclose or suggest that a FIFO watermark is an audio watermark.

For at least the foregoing reasons, Thi does not cure the stipulated deficiencies of Elliott and Svennevik.

The Claims Are Not Obvious

Claims 1-4 and **8-12** were rejected under 35 USC §103(a) as being obvious in

view of Elliott and Svennevik.

However, **claim 1** recites *inter alia*: --applying identifiers to originating half-calls such that the originating half-calls are distinctly identifiable thereby with respect to one another, said identifiers thereafter accompanying terminating half-calls that form associated pairs of half-calls together with the originating half-calls to which the identifiers were applied--.

Additionally, **claim 1** has been amended to correct antecedents and now recites *inter alia*: --examining terminating half-calls to detect the identifiers such that upon detection of the identifiers the terminating half-calls accompanying the detected identifiers and the originating half-calls to which the identifiers were applied are recognized as associated pairs of half-calls--.

The Office Action stipulates that Elliott does not disclose this subject matter of the body of **claim 1** and relies on Svennevik in this regard.

However, as indicated above, even though Svennevik discusses half-calls, the assertions of the Office Action to the contrary notwithstanding, Svennevik does not disclose or suggest applying identifiers to originating half-calls or examining terminating half-calls to detect the identifiers as is recited, for example, in **claim 1** of the present application. In this regard, the Office Action dissects the recitation of **claim 1** into portions as short as six words (e.g., --that form associated pairs of half-calls--) and cites portions of column 2, 7, 8 and 9 of Svennevik against such dissected portions out of context in an effort to support the assertion that Svennevik discloses the applying identifiers and examining terminating half-calls to detect the identifiers as is recited, for example, in **claim 1**.

However, as indicated above, even in combination, the cited portions of columns 2, 7, 8 and 9 do not disclose or suggest applying identifiers to originating half-calls or examining terminating half-calls.

Most clearly, the discussion at column 2, lines 17-20, which indicates that a call set-up server of Svennevik controls call handling separately from connection handling and this enables upgrading of connection handling hardware and software without affecting the rest of the system does not disclose or suggest applying identifiers to originating half-calls such that the originating half-calls are distinctly identifiable thereby

with respect to one another.

Additionally, the discussion of software architecture depicted in Fig. 9 found at cited column 7, lines 6-65, does not even in combination with the cited subject matter from column 2, disclose or suggest applying identifiers to originating half-calls such that the originating half-calls are distinctly identifiable, even if the cited portion of column 7 includes the phrase --half-call-- and makes reference to an originating call side and a terminating call side. **The cited portions are simply silent with regard to applying identifiers.**

Similarly, nothing in the cited portions of columns 5, 9 and 8, even in combination, disclose examining terminating half-calls to detect the identifiers. Instead, the cited portion of column 5 indicates that the access related part of the architecture depicted in Fig. 9 first handles the external interface then handles the terminals behavior. The access related part terminates the interface protocol and controls the resources or channels in the interface. Nothing here discloses or suggests examining terminating half-calls. The cited portion mentions that an access user part interprets how the call is represented, identifies the user at the transmission end, determines whether or not the user at the destination end is authorized to receive the call and determines the service that has been selected. However, even though the cited lines include the word --identifies--, **that does not disclose or suggest**, even in combination with the cited subject matter from column 5, examining terminating half-calls to detect the applied identifiers such that upon detection of the identifiers determined in the half calls accompanying the detected identifiers and the originating half-calls to which the identifiers were applied are recognized as associated pairs of half-calls.

As indicated above, it is respectfully submitted that the activities described in the cited portion of column 9 can be carried out by accessing information provided in one or more system signaling channels or other means separate from originating and terminating half-calls, and Svennevik does not disclose or suggest the subject matter for which it is relied.

For at least the foregoing reasons, **claim 1**, as well as **claims 2-7**, which depend therefrom, is not anticipated and is not obvious in light of Elliott and Svennevik.

Additionally, the Office has not met its burden of presenting a *prima facie* case of

obviousness. The allegation that it would be obvious to incorporate “call context” comprising distinctly encoded signals applied to original half-calls as allegedly taught by Svennevik with the routing method allegedly disclosed by Elliott for the purpose of call set-up and call forwarding, multi-media interactive conferencing and undetectable network traffic is specious.

Elliott includes 137 sheets of figures and an accompanying 145 pages of system description directed toward a voice over data telecommunications network architecture and is clearly able to provide call set-up, call forwarding and multi-media (e.g., voice and data) conferencing without assistance from Svennevik. Furthermore, the allegation that such a combination would facilitate the purpose of “undetectable network traffic” is traversed. The cited portion of Svennevik (column 1, lines 44-46) does not disclose or suggest the ability to provide undetectable network traffic. The assertion of the Office Action in this regard represents clear error.

Furthermore, it is noted that the comprehensive, 137 sheets of Figures, 145 pages of disclosure, application by Elliott was filed on February 12, 2003 and that Svennevik was published in August of 2000. Accordingly, if it were obvious to include any aspect of Svennevik in the system and methods of Elliott, Elliott would have done so.

For at least the foregoing additional reasons, **claim 1**, as well as **claims 2-7**, which depend therefrom, is not anticipated and is not obvious in light of Elliott and Svennevik.

With regard to **claim 8**, on page 6, just below the mid-point, the Office Action appears to stipulate that Svennevik does not disclose or suggest the subject matter recited in the body of **claim 8**. However, near the top of page 7, the Office Action makes the contrary assertion. Accordingly, it is assumed that the stipulation with regard to Svennevik made on page 6 was meant to be a stipulation with regard to Elliott. Accordingly, the Office Action stipulates that Elliott does not disclose or suggest the subject matter of the body of **claim 8** and relies on Svennevik for this disclosure.

In this regard, the Office Action makes allegations and citations similar to those made with regard to **claim 1**. Accordingly, arguments similar to those made in support of **claim 1** are made in support of **claim 8**. The cited portion of columns 2, 7, 8 and 9

do not disclose or suggest applying identifiers to originating half-calls or the means therefor recited in **claim 8**. Furthermore, Svennevik does not disclose or suggest examining or terminating half-calls to detect the identifiers or the means therefor recited in **claim 8**.

For at least the foregoing reasons, **claim 8**, as well as **claims 9-15**, which depend therefrom, is not anticipated and is not obvious in light of Elliott and Svennevik.

Additionally, for reasons similar to those outlined above with regard to **claim 1**, the Office has not met its burden of presenting a *prima facie* case of obviousness.

For at least the foregoing additional reasons, **claim 8**, as well as **claims 9-15**, which depend therefrom, is not anticipated and is not obvious in light of Elliott and Svennevik.

With regard to **claim 2**, the Office Action appears to cite paragraphs from Elliott although clarification in this regard is respectfully requested.

With regard to the first element of **claim 2**, the Office Action cites paragraph 16, lines 1-12. However, the cited portion indicates that if PSTN were converted to a packet-switched network, many of the congestion and limited bandwidth problems would be solved. However, the LECs and IXCs have invested large amounts of capital in building, upgrading and maintaining their circuit-switched networks and are unable or unwilling to jettison their legacy networks in favor of the newer, more powerful technology of packet switching. Accordingly, a party wanting to build a packet-switched network to provide voice and data communications for customers must build a network that, not only provides the desired functionality, but also is fully compatible with the SS7 and other switching networks of the legacy systems.

None of that discloses or suggests prior to the step of applying identifiers to originating half-calls recited in **claim 1**, receiving the originating half-calls from the calling premises equipment over a packet-switched network. Clarification in this regard is respectfully requested.

For at least the foregoing additional reasons, **claim 2** is not anticipated and is not obvious in light of Elliott and Svennevik.

With regard to the recitation in **claim 2** of translating the received originating half-calls from packet-switched call format to a circuit-switched call format such that each

originating half-call defines an originating half-call routing path having a packet-switched portion and a circuit-switched portion, the Office Action cites paragraph 589, lines 1-12.

However, the cited portion of Elliott discusses an interface which permits communication between soft switches and **does not** disclose or suggest translating a received originating half-call from a packet-switched call format to a circuit-switched call format.

With regard to the recitation in **claim 2** of after the step of applying identifiers to originating half-calls of **claim 1**, directing the received originating half-calls to a circuit-switched network for routing, the Office Action cites lines 1-6 of paragraph 589.

However, the cited portion simply discusses a soft switch-to-soft switch interface which permits communication between soft switches and **does not** disclose or suggest directing the received originating half-calls to a circuit-switched network for routing after applying identifiers to originating half-calls as recited in **claim 2**.

For at least the foregoing additional reasons, **claim 2**, as well as **claims 3** and **4**, which depend therefrom, is not anticipated or obvious in light of Elliott and Svennevik.

With regard to the recitation in **claim 2** of prior to the examining of terminating half-calls recited in **claim 1**, receiving the terminating half-calls from the circuit-switched network, the Office Action again refers to paragraph 589, lines 1-6, and adds citations to Figure 1, elements 132, 110, 118, 106, 117, 104, 108 and 128.

However, Fig. 1 is a high level view of the telecommunications network of Elliott (paragraph 42) and the cited portion of paragraph 89, as discussed above, simply discusses a soft switch-to-soft switch interface. It is respectfully submitted that the cited portions do not disclose or suggest receiving terminating half-calls from a circuit-switched network prior to examining the terminating half-calls to detect identifiers such that upon detection of the identifiers the terminating half-calls accompanying the detected identifiers and the originating half-calls to which the identifiers were applied are recognized as associated pairs of half-calls. Clarification of the assertions being made in this regard is respectfully requested.

For at least the foregoing additional reasons, **claim 2**, as well as **claims 3** and **4**, which depend therefrom, is not anticipated and is not obvious in light of Elliott and Svennevik.

With regard to the recitation of translating the received terminating half-calls from the circuit switch call format to the packet switch call format such that each terminating half-call defines a terminating half-call routing path having a packet-switched portion and a circuit-switched portion, the Office Action cites paragraph 9, lines 3-12.

However, the cited portion of paragraph 9 addresses out-of-band signaling systems which were introduced to prevent fraud. Paragraph 9 explains out-of-band signaling uses a signaling network that is separate from the circuit-switched network used for carrying the actual call information. For example, ISDN uses a separate channel, a data (D) channel to pass signaling information out of band. CCIS is another network architecture for out of band signaling. Allegedly, a popular version of CCIS signaling is Signaling System 7 (SS7). It is respectfully submitted that the cited portion of paragraph 9 does not disclose or suggest translating the received terminating half-calls from the circuit-switched call format to the packet-switched call format as recited in claim 2.

With regard to the recitation in **claim 2** of after examining terminating half-calls to detect the identifiers, directing the received terminating half-calls to the called consumer premises equipment over the packet-switched network, the Office Action cites paragraphs 592 and 611 as well as portions of Figures 1 and 2. However, paragraph 592 indicates that the sample configuration depicted in Fig. 2B can use a soft switch-to-soft switch protocol. Allegedly, the access servers depicted are trunking gateways which are connected to the switch circuit network via SS7 trunks, ISDN trunks and in-band trunks. The originating soft switch can receive a call over any of these trunks. The signaling information from the SS7, ISDN and in-band trunks is processed by a soft switch to establish the originating call-half. The signaling information processed by soft switch 204, can be used to determine the identity of terminating a soft switch 304. The identity of terminating soft switch 304 is allegedly required to complete the call.

It is respectfully submitted that none of this discloses or suggests directing a received terminating half-call to called consumer premises equipment over a packet-switched network examining the terminating half-calls to detect the identifiers such that upon detection of the identifiers the terminating half-calls accompanying the detected identifiers and the originating half-calls to which the identifiers were applied are

recognized as associated pairs of half-calls as is recited in the combination of **claims 1** and **2**.

For at least the foregoing additional reasons, **claim 2**, as well as **claims 3** and **4**, which depend therefrom, is not anticipated and is not obvious in light of Elliott and Svennevik.

The Office Action dissects the recitation of **claim 3** into three portions and cites portions of paragraph 5, paragraph 589 and paragraph 11 against the respective portions.

However, paragraph 5 indicates that the invention of Elliott relates to telecommunications and in particular to voice and data communications over a data network and further indicates that the public switched telephone network is a collection of different telephone networks owned by different companies which have for many years provide telephone communication between users of the network. Paragraph 5 concludes by indicating the different parts of the PSTN network use different transmission media and compression techniques. Paragraph 589 has been addressed above and indicates that a soft switch-to-soft switch interface permits communication between soft switches that control an originating call-half and terminating call-half. Paragraph 11 indicates that an SS7 network is a packet-switched signaling network that includes service switching points and service control points. It is respectfully submitted that even in combination, the cited portions of Elliott do not disclose or suggest the method of **claim 2**, wherein upon recognizing associated pairs of half-calls, the respective second ends of the half-calls forming each pair are connected to one another so as to reduce the originating and terminating half-call routing paths defined thereby to only their packet-switched portions, as is recited in **claim 3** (e.g., see Fig. 2 of the present application and compare it to Fig. 1). Clarification of the assertions of the Office Action is respectfully requested.

For at least the foregoing additional reasons, **claim 3** is not anticipated and is not obvious in light of Elliott and Svennevik.

With regard to **claim 4**, the Office Action cites only lines 3-12 of paragraph 9.

However, paragraph 9 has been addressed above and simply indicates that in order to prevent fraud, out of band signaling systems were introduced and identifies

certain ones of those out of band signaling systems. Paragraph 9 does not disclose or suggest the method of **claim 2**, wherein upon recognizing associated pairs of half-calls, the respective second ends of the half-calls forming each pair are connected to one another so as to eliminate circuit switched portions from the originating and terminating half-call routing paths defined thereby. Clarification of the assertions of the Office Action in this regard are respectfully requested.

For at least the foregoing additional reasons, **claim 4** is not anticipated and is not obvious in light of Elliott and Svennevik.

With regard to **claim 9**, the Office Action cites various portions of paragraphs 12, 14, 19, 8, 11 and various portions of Fig. 1.

However, while the various paragraphs acknowledge the existence of circuit-switched networks and packet-switched networks, they **do not** disclose or suggest the translation means of claim 9 which provides means for receiving originating half-calls from the calling consumer premises equipment over a packet-switched network, translating the received originating half-calls from a packet-switched call format to a circuit-switched call format...directing the translated originating half-calls to a circuit-switched network for routing, receiving the terminated half-calls from the circuit-switched network, translating the received terminated half-calls from the circuit-switched call format to the packet-switched call format...and directing the translated terminating half-calls to the called consumer premises equipment over the packet-switched network, as recited in claim 9. Clarification of the assertions of the Office Action is respectfully requested.

For at least the foregoing additional reasons, **claim 9**, as well as **claims 10-12**, which depend therefrom, is not anticipated and is not obvious in light of Elliott and Svennevik.

With regard to **claim 10**, the Office Action cites lines 1-8 of paragraph 19 and various portions of Fig. 1.

However, the cited portion of paragraph 19 simply indicates that in a packet-switched network, there is no single, unbroken physical connection between sender and receiver. The packets from many different calls share network bandwidth with other transmissions. The packets are sent over many different routes at the same time

toward the destination, and then are reassembled at the receiving end. The result is allegedly much more efficient use of a telecommunications network than could be achieved with circuit switching.

Even in combination with Fig. 1, the cited portion of paragraph 19 does not disclose or suggest translation means comprising a gateway bridging the packet switch network with a circuit-switched network.

With regard to **claim 11**, the Office Action cites only paragraph 11, lines 1-10.

However, the cited portion of paragraph 11 discusses an SS7 network and indicates that it is a packet-switched signaling network formed from a variety of components, including service switching points, signaling transfer points and service control points. Paragraph 11 further indicates that a service switching point is a telephone switch which is directly connected to an SS7 network. All calls in such a network must originate in or be routed through a service switching point. In such a system, calls are passed through connections between service switching points. A service control point is a special application computer which maintains information in a database required by users of the network. For example, SCP databases may include a credit card database for verifying charge information or an "800" database for processing number translations for toll free calls.

It is respectfully submitted that nothing in the cited portion of paragraph 11 discloses or suggests connection means for connecting half-calls recognized as associated pairs such that the respective second ends of the half-calls forming each pair are connected to one another so as to reduce the originating and terminating half-call routing pass defined thereby to only their packet-switched portions. Indeed, paragraph 11 describes the SS7 network as a signaling network. It is respectfully submitted that a signaling network does not carry traffic and therefore does not carry half-calls.

For at least the foregoing additional reasons, **claim 11** is not anticipated and is not obvious in light of Elliott and Svennevik.

With regard to **claim 12**, the Office Action at once asserts that Elliott discloses the subject matter of **claim 12** without providing any support for that allegation and then stipulates that Elliott does not disclose the subject matter of **claim 1** and with regard to

the subject matter of **claim 1** makes the same assertions and citations with regard to Svennevik that were made with regard to **claim 1**.

Since the Office Action does not provide a citation to support the assertion that Elliott discloses the subject matter of **claim 12**, it is respectfully submitted that **claim 12** is not anticipated and is not obvious in light of Elliott and Svennevik.

Additionally, to the extent that the subject matter of **claim 12** is similar to the subject matter of **claim 4**, arguments similar to those submitted in support of **claim 4** are submitted in support of **claim 12**.

For at least the foregoing additional reasons, **claim 12** is not anticipated and is not obvious in light of Elliott and Svennevik.

Claims 5-7 and **13-15** were rejected under 35 USC §103(a) as being unpatentable in view of Elliott, Svennevik and Thi.

With regard to **claim 5**, the Office Action asserts that Elliott and Svennevik disclose and show within a telecommunications network the method wherein the identifiers are audio watermarks, said audio watermarks comprising distinctly encoded signals. However, the Office Action provides no support for this assertion. Moreover, it is respectfully submitted that Elliott and Svennevik do not disclose or suggest audio watermarks.

Furthermore, the Office Action stipulates that Elliott does not clearly disclose originating and terminating half-calls to which audio watermarks comprising distinctly encoded signals applied to the originating half-calls and appears to rely on Thi for this disclosure.

In this regard, the Office Action cites column 20, lines 17-23, of Thi.

However, the cited portion indicates that the transmit state machine initiates transmission of a packet to an MII when a FIFO watermark is reached or an end of packet is received.

It is respectfully submitted that this is **entirely unrelated** to an audio sound or watermark applied to an originating half-call. Accordingly, Thi does not include the subject matter for which it is relied and there is no motivation in the art to combine the FIFO watermark of Thi with disclosure of Elliott and Svennevik and the Office has not met its burden of presenting a *prima facie* case of obviousness.

Similar allegations are made by the Office Action with regard to **claims 6, 7 and 13-15**. Accordingly, arguments similar to those submitted in support of **claim 5** are submitted in support of **claims 6, 7 and 13-15**.

For at least the foregoing additional reasons, **claims 5-7 and 13-15** are not anticipated and are not obvious in light of Elliott, Svennevik and Thi.

New **claims 22-27** are the same as and replace canceled **claims 16-21**. Accordingly, they do not represent new matter and do not require a new search. New **claim 22**, which corresponds to original **claim 16**, recites *inter alia*: “a gateway that bridges packet-switched and circuit-switched networks, the gateway comprising an audio watermark generator that applies identifiers to a first leg of calls routed through the gateway, said identifiers distinctly identifying the respective calls to which they are applied from one another, and an audio watermark sensor that examines a second leg of calls routed through the gateway to detect for identifiers”.

It is respectfully submitted that Elliott, Svennevik and Thi do not disclose or suggest such a gateway including such audio watermark generators and audio watermark sensors. Accordingly, for at least the foregoing reasons, **claims 22-27** are not anticipated and are not obvious in light of Elliott, Svennevik and Thi and reinstatement of these claims does not require a new search. Instead, a new search, if deemed to be required, is required by the deficiencies of Elliott, Svennevik and Thi with regard to **claims 1-15**.

Telephone Interview

In the interests of advancing this application to issue the Examiner is invited to telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

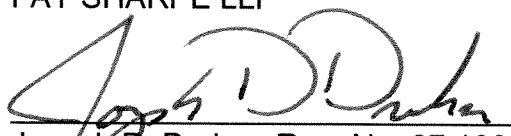
CONCLUSION

Claims 1-4 and **6-15** remain in the application. **Claims 22-27** representing the reinstatement of **claims 16-21**, have been added. For at least the foregoing reasons, the application is condition for allowance. Accordingly, an early indication thereof is respectfully requested.

Respectfully submitted,

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Nov 12, 2008
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